

## RESPONSE AND REMARKS

In the Office Action, Claims 1-11 were rejected under U.S.C. § 103(a) as being unpatentable over Buck, et al., (U.S. Patent No. 6,078,866, "Buck") in view of L. Vigil et al., (U.S. Publication Application No. 2001/0034654, "Vigil") and further in view of Uchino et al., (U.S. Publication Application No. 2001/0018698, "Uchino").

In the Office Action, Claim 13 was rejected under U.S.C. § 103(a) as being unpatentable over Buck in view of Vigil, in view of Uchino, and further in view of Soulanille, (U.S. Patent No. 6,978,263, "Soulanille").

In the Office Action, Claims 17-21 were rejected under U.S.C. § 103(a) as being unpatentable over Buck in view of Vigil, in view of Uchino, and further in view of Narin, et al., (U.S. Patent Pub. App. No. 2002/0046045 A1, "Narin").

The rejections have been carefully considered. Claims 1-22 have been cancelled; New Claims 23-28 have been added. It is respectfully submitted that New Claims 23-28 more distinctly claim the claimed invention. Further, it is respectfully asserted that none of the cited references, whether considered alone or in combination, disclose, anticipate, teach or suggest all of the limitations of New Claims 23-28 of the present application.

### RESPONSIVE REMARKS REGARDING § 103(a) REJECTIONS

The following summaries of the cited references are provided as background for subsequent discussion of distinctions between new Claims 23-28 and the cited references.

It is respectfully submitted that Uchino describes the general state of the art of message board technology. In summary, Uchino discloses generation of a meta-index, a thread index, and an indexed file for displays of "documents" (user messages) in a message board display. It is respectfully submitted that Uchino is in accord with the description in the Specification of the present application (the "Specification") of message boards:

A message board system works by using one or more user interface applications that prompt users to input information into designated fields. Once

completed, the input is submitted to a central server, recorded on one or more databases, and output to a web page that displays the information for others to read and reply to with their own message.

Message board displays are traditionally sorted by "date", by "subject", or "thread". Messages displayed by "date" puts the most recent message at the top of the board, while messages displayed by "subject" show the title of the message and the numerical number of replies.

A message "thread" is a series of messages that are direct or indirect replies to each other and discuss a common subject. The message "thread" can be thought of as a family tree where a "parent" can have "children" or the replies to that message, if there is more than one reply to the message there can be multiple children and if there are replies to the replies a "generation" of parents, siblings, and children can occur all under the initial message.

Specification, p. 1, line 21 – p. 2, line 5. See also, e.g., Uchino, FIG. 26 (showing "thread view").

Further, it is respectfully asserted that Uchino is in accord with the disclosure of the Specification of the present application that a message board display is constantly changing as new user messages are added to the message board. See, e.g., Uchino FIGS. 5, 9, and FIG. 47. See also, e.g., Specification, p. 30, lines 18-23 ("The message board interface 600 is composed of applications that enable the display of user messages to be shifted down the message board page 1200 as new message, e.g., 102, are added; at the same time, the message board interface 600 will display EALOs (embedded adverting links) in positions within the message board page 1200 that are permanent and do not shift up or down on the message board page 1200.")

Notably, Uchino discloses only receiving "documents" (user input messages) from message board users. It is respectfully submitted that there is no disclosure in Uchino of any other universe of message board display sources, such as, for example, advertising subscribers, as are recited in the new Claims of the present application. Moreover, it is respectfully asserted that there is no disclosure in Uchino to display paid advertising entries on fixed line positions within a constantly changing message board display of [free] user messages as is the subject matter of the new Claims of the present application.

Buck discloses searching a listings database of site listings provided by subscribers. See, e.g., Buck, Abstract. The site listings of Buck include, among other

things, "a denominated value to be paid by the subscriber as a subscription fee for the site listing." Buck, Abstract. In Buck, a search report is provided that ranks site listings according to the subscription fee paid by the subscriber. "The higher the amount paid for a given subscription period in relation to other listers, the higher the site's ranking on the ... search reports." Buck, Abstract. Notably, as will be discussed further below, Buck discloses ranking site listings according to subscription fees paid by subscribers but does not disclose any other universe of search report listing sources, such as, for example, user messages, as recited by the Claims of the present application. Further, although Buck discloses a report of site listings, the Buck search report is "ranked" according to the fee paid and does not indicate displaying a site listing at a fixed position in the report.

Narin bears some similarity to Buck in that Narin discloses a "... list of [a] limited set of web sites ..." Narin, Abstract. Notably, as with Buck, Narin does not disclose multiple types of sources for the web sites in its list.

Further, Narin discloses a "local list of [a] limited set of web sites that can be accessed from within [a] software application. A directory server maintains a list of retail web sites that can be added to the client's local list of accessible web sites." Narin, Abstract. Narin discloses that the local "personal retail list 506" is resident on "computer 110." See Narin, FIG. 5. As compared to a client's *local list* of accessible web sites as disclosed in Narin, the Specification of the present application explains that:

A message board system is a group of documents produced by users that are stored in a predetermined database on a server and then retrieved and displayed in a format consistent with the requirements of the Web site. They allow users to participate in on-going online discussions, to share thoughts, exchange opinions, and ask questions. Messages boards distinguish themselves from other Web site content because the information posted is largely user driven and allows others to access and read the material.

Specification, p. 1, lines 14-20. Notably, as will be discussed further below, although Narin discloses adding a list of web sites to a local list of web sites, Narin does not disclose displaying a web site listing at a particular fixed display line position within a plurality of display lines such as is recited in one way or another by the new Claims of the present application.

Soulanille discloses conducting a search of search listings according to a bid amount for display of the search listings and arranging a predetermined number of the search listings identified by the search in a random order. Notably, as with Buck and Narin, Soulanille does not disclose displaying a search listing at a particular fixed display line position within a plurality of display lines such as is recited in one way or another by the new Claims of the present application. Rather, Soulanille discloses a random ordering of the search results.

Vigil discloses presenting interactive "interstitial" advertisements to viewers of websites. See, e.g., Vigil, ¶ 0032. Vigil describes interstitial ads as "...full-screen ads that occasionally pop up between pages [of a website]" and that "...get in your face, take up the full browser screen, and don't go away until you click on them or they're done with their animation." Vigil, ¶ 0035. Notably, as will be discussed further below, Vigil's "interstitial ads" are displayed between website pages, not between display lines of a particular website page, such as at a display line at [a] fixed line number of [a] message board display as recited by the new Claims of the present application.

As distinguished from all of the references of record, the new Claims of the present application are directed to generating a message board display comprising both [free] user messages from users and [paid-for] hypertext links by advertising subscribers. See, e.g., Claim 23 ("generate the message board display comprising ... each user input message ..., and ... each respective hypertext link ...."); Claim 28 (... for each respective Internet-based message board of the plurality of Internet-based message boards, generate a display comprising: ... each respective user message ..., and ... each respective hypertext link ....). That is, various embodiments of the Claims of the present application would produce a message board display comprising both paid-for advertising offers/hypertext link entries and [free] user message entries.

Further, as distinguished from references such as, for example, Buck that discloses a ranked listing of paid-for site listings, and Soulanille that discloses a random order of search listings, various embodiments of the Claims of the present application would produce a message board display in which paid advertisements would be displayed at certain fixed line positions within the message board display of a plurality of

line positions; user messages would be displayed at other line positions. See, e.g., Claim 23 ("generate the message board display comprising ... each respective hypertext link displayed at the corresponding fixed line number of the message board display.").

Even as new user messages are added and the line positions of previous user messages are shifted to make way for the new user messages, various embodiments of the Claims of the present application would remain displayed at their respective fixed line positions. See, e.g., Claim 24 ("... update the message board display with a new user input message displayed at a respective line of the plurality of message board display lines, relative to the beginning of the message board display; and preserve the message board display of the hypertext link position at the corresponding fixed line number of the message board display."). See also, e.g., FIG. 4a of the present application, which is reproduced below for convenient reference.

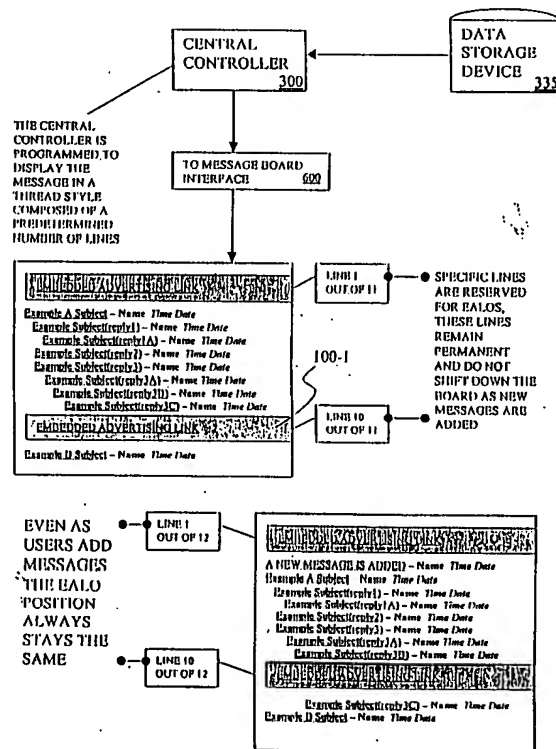


FIG. 4a

As depicted in FIG. 4a of the present application, as reproduced above for convenient reference, "Specific lines are reserved for the [embedded advertising link offers] ... these lines remain permanent and do not shift down the board as new messages are added ... Even as users add messages ... the [embedded advertising link offer] position always stays the same ...."

Yet further, it is respectfully asserted that various embodiments of the Claims of the present application would provide a message board display comprising both [free] user messages from users on some message board display lines and [paid-for] hypertext links by advertising subscribers on fixed position message board display lines. See, e.g., Claim 23 ("generate the message board display comprising: ... each user input message of the plurality of user input messages displayed at a respective line of the plurality of message board display lines, relative to the beginning of the message board display, and ... each respective hypertext link displayed at the corresponding fixed line number of the message board display....."). See also, e.g., FIG. 4a of the present application, reproduced above for convenient reference.

As compared the above-described subject matter of the Claims of the present application, Vigil's "interstitial ads" are displayed between website pages, not between display lines of a particular website page, such as at a display line at [a] fixed line number of [a] message board display as recited by the Claims of the present application and as depicted in, e.g., FIG. 4a of the present application, reproduced above for convenient reference.

Still further, it is respectfully asserted that there is no teaching or suggestion found in the prior art, as required under MPEP §706.02(j), to combine the various single-source (paid advertising) listing and listing search references, such as Buck, Narin, and Soulanille with a message board site listing reference such as Uchino. Yet further, even when combined, it is respectfully asserted that there is no teaching or suggestion found in any of the references of record of the combination of limitations as recited in the Claims of the present application to display paid advertising entries on fixed line positions within a constantly changing message board display of [free] user messages as is the subject matter of the new Claims of the present application.

**CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the invention disclosed and claimed in the new Claims of the present application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be reconsidered and allowed.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, ALC

By   
Marilyn R. Khorsandi  
Reg. No. 45,744  
626/796-2856